



SYNOPSIS

House Bills and Joint Resolutions 2015 Maryland General Assembly Session

January 26, 2015
Schedule 7

PLEASE NOTE: January 27 – Bill request deadline.
February 13 – Bill introduction deadline.
All bills must be given to the Chief Clerk by 5:00 P.M. on Thursday, February 12.
As required by House Rule 32(b), bills introduced after this date will be referred to the House Rules and Executive Nominations Committee.

HOUSE BILLS INTRODUCED JANUARY 26, 2015

HB 111 The Speaker (By Request – Maryland Judiciary)

JUDGESHIPS – CIRCUIT COURTS AND DISTRICT COURT

Increasing the number of resident judges of the circuit court in Baltimore, Charles, Montgomery, and Prince George's counties and Baltimore City; and increasing the number of resident judges of the District Court in District 5 (Prince George's County) and District 6 (Montgomery County).

EFFECTIVE JULY 1, 2015

CJ, §§ 1-503 and 1-603(b) - amended

Assigned to: Judiciary

Department of Legislative Services

90 State Circle, Annapolis, Maryland 21401-1991

Baltimore Area: 410-946-5400 — Washington Area: 301-970-5400

Other Maryland Areas: 1-800-492-7122 — Maryland Relay Service: 1-800-735-2258

HB 112 Delegate Conaway**CRIMINAL PROCEDURE – POLICE-INVOLVED DEATH – STATE PROSECUTOR**

Authorizing, under specified circumstances, the State Prosecutor to investigate a death of an individual that results directly from an action or an omission of a law enforcement officer of the State or of a political subdivision of the State while the officer is on duty or while the officer is off duty but performing activities that are within the scope of the officer's duties; and providing for the prospective application of the Act.

EFFECTIVE OCTOBER 1, 2015

CP, § 14-107 - amended

Assigned to: Judiciary

HB 113 Delegate Conaway**LOCAL GOVERNMENT TORT CLAIMS ACT – LIMITS ON LIABILITY**

Increasing to \$500,000 per individual claim and \$1,000,000 per total claims the limits on liability of a local government for claims under the Local Government Tort Claims Act that arise from the same occurrence; and applying the Act prospectively.

Preliminary analysis: local government mandate

EFFECTIVE OCTOBER 1, 2015

CJ, § 5-303 - amended

Assigned to: Judiciary

HB 114 Delegate Conaway**MARYLAND TORT CLAIMS ACT – LIMIT ON LIABILITY**

Increasing from \$200,000 to \$500,000 the limit on liability of the State and its units under the Maryland Tort Claims Act for injuries to a claimant arising from an incident or occurrence; and applying the Act prospectively.

EFFECTIVE OCTOBER 1, 2015

SG, § 12-104 - amended

Assigned to: Judiciary

HB 115 Carroll County Delegation**CARROLL COUNTY – CORRECTIONAL OFFICERS’ BILL OF RIGHTS**

Making the Correctional Officers’ Bill of Rights applicable to correctional officers in Carroll County.

EFFECTIVE OCTOBER 1, 2015

CS, § 11-1002 - amended

Assigned to: Appropriations

HB 116 Carroll County Delegation**CREATION OF A STATE DEBT – CARROLL COUNTY – THE ARC OF CARROLL COUNTY BUILDING RENOVATION**

Authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of The Arc of Carroll County, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of The Arc of Carroll County building, located in Carroll County; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; etc.

EFFECTIVE JUNE 1, 2015

Assigned to: Appropriations

HB 117 Carroll County Delegation**CARROLL COUNTY – ALCOHOLIC BEVERAGES – HOURS OF SALE ON SUNDAYS FOR HOLDERS OF CLASS A LICENSES**

Altering the hours of sale on Sundays from between 11 a.m. and 11 p.m. to between 8 a.m. and 11 p.m. for holders of Class A licenses in Carroll County.

EFFECTIVE JULY 1, 2015

Art. 2B, § 11-507 - amended

Assigned to: Economic Matters

HB 118 Delegate Morhaim**TASK FORCE TO STUDY PRESUMED CONSENT ORGAN DONATION IN MARYLAND**

Establishing the Task Force to Study Presumed Consent Organ Donation in Maryland; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving specified compensation, but authorizing the reimbursement of specified expenses; requiring the Task Force to study and make recommendations regarding specified matters; requiring the Task Force to report its interim and final findings and recommendations to the Governor and the General Assembly on or before June 1, 2016, and June 1, 2017; etc.

EFFECTIVE JUNE 1, 2015

Assigned to: Health and Government Operations

HB 119 Delegate Morhaim, et al**CONSTRUCTION CONTRACT CLAUSES – CHANGE ORDERS (STATE PROCUREMENT CHANGE ORDER FAIRNESS ACT)**

Requiring each State procurement contract for construction to include a change order clause that prohibits a contractor from requiring a subcontractor to complete work under a change order except under specified circumstances, allows a prime contractor or subcontractor to stop work under specified circumstances, requires a prime contractor to include in its subcontracts a specified clause, and prohibits specified persons from taking specified action under specified circumstances; etc.

EFFECTIVE JULY 1, 2015

SF, §§ 11-203(b)(1), (c), (e)(5), and (h) and 15-226(c) - amended and § 13-219.1 - added

Assigned to: Health and Government Operations

HB 120 Delegate Vallario, et al**CRIMINAL PROCEDURE – FAILURE TO APPEAR – RESCHEDULING**

Authorizing a judge to set a bond in a case on issuing a bench warrant when the defendant fails to appear; and requiring the court to strike the bench warrant and reschedule the hearing or trial if the defendant posts the bond.

EFFECTIVE OCTOBER 1, 2015

CP, § 5-211 - amended

Assigned to: Judiciary

HB 121 Delegate Anderson, et al**CRIMINAL PROCEDURE – DRUG–RELATED OFFENSES – REPEAL OF MANDATORY MINIMUM SENTENCES**

Repealing specified mandatory minimum sentences for specified drug– related offenses; providing that a person convicted of specified drug– related offenses is not prohibited from participating in a specified drug treatment program; providing that a specified person is entitled to a hearing and sentence review; repealing a prohibition against a person possessing a regulated firearm if the person was previously convicted of specified drug–related offenses; etc.

EFFECTIVE OCTOBER 1, 2015

CR, §§ 5-607, 5-608, and 5-609 and PS, § 5-133(c) - amended

Assigned to: Judiciary

HB 122 Delegate B. Robinson, et al**TASK FORCE TO STUDY THE IMPACT OF STATE AND LOCAL TAXES ON SMALL BUSINESSES**

Establishing the Task Force to Study the Impact of State and Local Taxes on Small Businesses; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving specified compensation, but authorizing the reimbursement of specified expenses; requiring the Task Force to study and make recommendations regarding the impact of State and local taxes on small businesses; requiring a report on or before December 31, 2015; etc.

EFFECTIVE JUNE 1, 2015

Assigned to: Ways and Means

HB 123 Delegate Anderson (By Request – Baltimore City Administration)**BALTIMORE CITY – RESIDENTIAL RETENTION PROPERTY TAX CREDIT – MODIFICATION**

Providing an exemption from a prohibition against specified homeowners receiving specified property tax credits under specified circumstances; providing for a delayed effective date; and providing for the application and termination of the Act.

EFFECTIVE JUNE 1, 2016

TP, § 9-304(g)(6) - amended

Assigned to: Ways and Means

HB 124 Delegate Anderson, et al**CRIMINAL PROCEDURE – EXPUNGEMENT – CONVICTION OF A CRIME THAT IS NO LONGER A CRIME**

Authorizing a person to file a petition for expungement if the person was convicted of a crime and the act on which the conviction was based is no longer a crime.

EFFECTIVE OCTOBER 1, 2015

CP, § 10-105 - amended

Assigned to: Judiciary

HB 125 Delegate McComas**HARFORD COUNTY – SCHOOL BUSES – LENGTH OF OPERATION**

Altering the length of time a school bus may be operated in Harford County under specified circumstances.

EFFECTIVE JUNE 1, 2015

ED, § 7-804 - amended

Assigned to: Environment and Transportation

HB 126 Carroll County Delegation**MARYLAND INCOME TAX REFUNDS – CARROLL COUNTY – WARRANT INTERCEPT PROGRAM**

Altering the requirement for the Comptroller to withhold Maryland income tax refunds of specified individuals with outstanding warrants to include residents of Carroll County or individuals who have outstanding warrants from Carroll County; making nonsubstantive changes to specified termination provisions; making conforming changes; etc.

VARIOUS EFFECTIVE DATES

TG, § 13-936, Chapter 451 of the Acts of 2012, § 3, as amended, and Chapter 213 of the Acts of 2013, § 3 - amended

Assigned to: Ways and Means

HB 127 Delegate Krebs**STATE BOARD OF MORTICIANS AND FUNERAL DIRECTORS –
ALTERATION OF DATES FOR TERMINATION PROVISIONS AND
SUNSET PROGRAM EVALUATION**

Altering the date of the termination provisions from 2016 to 2015 relating to the statutory and regulatory authority of the State Board of Morticians and Funeral Directors; and altering from July 1, 2018, to July 1, 2017, the date of the requirement that an evaluation of the Board and the statutes and regulations that relate to the Board be performed by the Department of Legislative Services.

EFFECTIVE JUNE 1, 2015

HO, § 7-702 and SG, § 8-405(b)(2) - amended

Assigned to: Health and Government Operations

HB 128 Delegate Afzali, et al**CRIMINAL LAW – CRIMES AGAINST PROPERTY – TRESPASS TO A
VEHICLE**

Prohibiting a person from knowingly entering a vehicle, or any part of a vehicle, without authorization from the owner or rightful occupant of the vehicle; and establishing specified penalties for a violation of the Act.

EFFECTIVE OCTOBER 1, 2015

CR, § 6-411 - added

Assigned to: Judiciary

HB 129 Delegate Morhaim**PROCUREMENT – VETERAN-OWNED SMALL BUSINESS
ENTERPRISE PARTICIPATION – AWARD OF CONTRACTS**

Requiring a unit awarding a contract with a specified expected goal of veteran-owned small business enterprise participation to award the contract in accordance with specified provisions of law to a specified bidder or offeror that meets or makes a good faith effort to meet the expected goals.

EFFECTIVE OCTOBER 1, 2015

SF, § 14-603 - amended

Assigned to: Health and Government Operations

HB 130 Delegate Jones, et al**AFRICAN AMERICAN HERITAGE PRESERVATION PROGRAM – REESTABLISHMENT AND REVISIONS**

Reestablishing the African American Heritage Preservation Program in the Maryland Historical Trust to identify and preserve buildings, communities, and sites of historical and cultural importance to the African American experience in the State; requiring the Trust to develop and administer the Program in partnership with the Commission on African American History and Culture; requiring the Governor, for each fiscal year, to include \$1,000,000 for the Program in the annual operating or capital budget; etc.

This bill requires a mandated appropriation in the annual budget bill.

EFFECTIVE JUNE 1, 2015

SF, § 5A-331 - added

Assigned to: Environment and Transportation

HB 131 Chair, Judiciary Committee (By Request – Maryland Judicial Conference)**CRIMINAL PROCEDURE – TRANSFER TO JUVENILE COURT – PETITION FOR EXPUNGEMENT**

Requiring a petition for expungement of a criminal charge that has been transferred to the juvenile court to be filed in the court of original jurisdiction from which the order of transfer was entered.

EFFECTIVE OCTOBER 1, 2015

CP, §§ 10-105(b) and 10-106 - amended

Assigned to: Judiciary

HB 132 Delegate Anderson, et al**CRIMINAL LAW – RECKLESS ENDANGERMENT – REPEAL OF SPECIFIC CHARGING REQUIREMENT**

Repealing the requirement that a defendant must be charged specifically with reckless endangerment to be found guilty of reckless endangerment.

EFFECTIVE OCTOBER 1, 2015

CR, § 3-206 - amended

Assigned to: Judiciary

HB 133 Delegate Anderson (By Request – Baltimore City Administration)**CRIMINAL PROCEDURE – WARRANTLESS ARRESTS – ASSAULT ON
BALTIMORE CITY SPECIAL ENFORCEMENT OFFICER**

Expanding the authority of a police officer without a warrant to arrest a person suspected of committing a specified assault against a specified Baltimore City special parking enforcement officer or special traffic enforcement officer engaged in the performance of the officer's official duties.

EFFECTIVE OCTOBER 1, 2015

CP, § 2-203(b)(10) and (11) - amended and § 2-203(b)(12) - added

Assigned to: Judiciary

HOUSE JOINT RESOLUTION INTRODUCED JANUARY 26, 2015**HJ 1 Delegate Morhaim****NUMBER AND TERMS OF UNITED STATES SUPREME COURT
JUSTICES**

Urging the members of the Maryland Congressional Delegation to utilize their resources and influence to ensure passage of prospective federal legislation concerning the number and terms of the Justices of the United States Supreme Court.

Assigned to: House Rules and Executive Nominations